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U. S. DEPARTMENT OF ENERGY
BRIEFING ON THE
MONTICELLO VICINITY PROPERTIES PROJECT

PLACE: San Juan County Courthouse
DATE: July 6, 1989
TIME: 7:00 p.m.

APPEARANCES

Agency and Prime Contractor Participants

U. S. Environmental Protection Agency, Region VIII	Lam Nguyen Remedial Project Manager
	Mr. Ali Joseph Community Relations Coordinator
State of Utah Bureau of Solid & Hazardous Waste	Mr. Robert McLeod Project Coordinator
U.S. Department of Energy Grand Junction Projects Office	Ms. Betty Hollowell Acting Manager
	Mr. Dee Williamson Project Manager SFMP Programs
UNC Geotech, Inc.	Mr. Vince Tunc Vice President, Programs
	Mr. Brian Mathis, SFMP Program Manager
	Ms. Karen Scotti, Public Relations Director
	Ms. Tracy Plessinger Environmental Compliance Coordinator

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PROCEEDINGS

MR. WILLIAMSON: We'll start right now with our meeting. My name is Dee Williamson. I work for the Department of Energy in Grand Junction, Colorado. We are here tonight to speak to the Vicinities Property Clean-Up that is already underway here in Monticello and future work on the Vicinities Problem.

I'd like to make it clear, as we start this evening, that our real purpose here is to address the Vicinities Properties. We'll talk just a little bit about what's happening at the Mill Site also.

But the main purpose tonight is to address the Vicinities Properties Clean-Up that's going on right now and the additional Vicinities Properties going on in the next two years.

Now, to begin with, I would like to introduce some people. I would first like to introduce from the U.S. Environmental Protection Agency, Region VIII, Mr. Lam Nguyen. He's the Remedial Project Manager for this Project. And also -- Would you stand up also and then be seated?

MR. NGUYEN: (Indicating)

MR. WILLIAMSON: And also, I'll introduce Mr. Ali Joseph. He's the Community Relations Coordinator for Region VIII. And I would like to also introduce from the

1 State of Utah, Bureau of Solid & Hazardous Waste, Robert
2 McLeod. He's a Project Coordinator.

3 Now, from the U.S. Department of Energy, Grand Junction
4 Projects Office, I would like to introduce Mrs. Betty
5 Hollowell. She's the Acting Project Manager.

6 Once again, my name is Dee Williamson. I'm the
7 Project Manager for the clean-up here in Monticello.

8 With us tonight, the Department of Energy has a fine
9 contractor, which is UNC Geotech. I would like to introduce
10 Mr. Vince Tonc. He's the Vice President for Programs. Mr.
11 Brian Mathis; he's the Program Manager for the clean-up here
12 in town. Ms. Karen Scotti; she's the Public Relations
13 Director for UNC. Ms. Tracy Plessinger; she's the Environ-
14 mental Compliance Coordinator for the Project.

15 I now need to make a few administrative details this
16 evening. There is a sign-up sheet. We hope all of you sign
17 up on that sheet. And I don't know where that sheet is right
18 now (indicating). It's right up here on a chair. So, if
19 you'd all sign in, we'd appreciate that.

20 Now, on questions and answers, the procedure for
21 soliciting public comment -- when you stand up to ask a ques-
22 tion or direct a question to us, I want you to give us your
23 full name and where you reside. Also, if you'd spell your
24 last name, we'd appreciate that.

25 We were supposed to have a court recorder here. That

1 person got out of court at 5:00 in Price. I don't think
2 he's going to make it, so we've got a recorder over here.
3 So, when you do ask a question, if you'd kind of elevate
4 your voice just a little bit, we'd appreciate that also.

5 Once again, with the question we will repeat the
6 question. That doesn't mean that we think there's anything
7 wrong with you; we just want to make sure that we record
8 the exact question that you're asking and get it on the record.

9 Each of you came in -- There are terms and abbreviations.
10 Sometimes government people speak in a lot of acronyms. It's
11 shorter that way. And so just get -- We've listed a number
12 of acronyms that are common to the project here. And as
13 we go through those tonight, we'll also try to explain what
14 they mean. But just keep that in mind, because I'm sure
15 that will help you.

16 In addition, we've got a little thing here where we
17 talk about the Inclusion Survey. And we'll address those
18 also. That includes the Vicinities Properties and the Clean-
19 Up effort.

20 If you have reason to think there might be properties
21 contaminated or want to have them be considered by the
22 Department of Energy, you can get a hold of the field officer
23 in town or myself in Grand Junction. Now, you can call col-
24 lect to Grand Junction and get a hold of me. Just give me
25 a phone number, and I'll phone you right back on that. So

1 feel free, if you have questions, to phone Grand Junction
2 collect and get a hold of me on the Vicinity Properties
3 Inclusions and we'll talk a little bit more about you and
4 old Mr. Pete Mygatt, who is the Public Relations Director
5 for the Department of Energy.

6 They've got a list up here. Let me see -- Just so
7 I don't forget anything.

8 To begin this evening, I would like to read for the
9 record a statement:

10 "The U.S. Department of Energy is presently completing
11 an investigation to identify potential properties contaminated
12 with uranium mill tailings derived from the Monticello Mill
13 site. These investigations will continue throughout the
14 coming year and include vicinity property surveys being con-
15 ducted by the DOE by its contractor, Oak Ridge National
16 Laboratory.

17 "As part of the investigation, DOE requests anyone
18 who has reasonable cause to believe tailings from the Monticello
19 mill site were moved onto their property or another property
20 that has not yet been assessed by DOE, to provide this informa-
21 tion to the Department of Energy."

22 And once again, this handout talks about this. If
23 you have any information; if you get a hold of the local
24 office here or, once again I'll repeat myself, phone collect
25 and get a hold of me in Grand Junction.

1 I've covered the purpose of the meeting. If you'll
2 bear with me, I need to read this into the record. It's
3 obvious we can all read it, but I'll read it so it gets into
4 the record. Will you turn the lights out? (Indicating)

5 Can everyone here and can everyone see the overhead
6 there?

7 "The purpose of our presentation this evening: Number
8 one, is to present the project background and proposed plan
9 for Vicinity Properties remediation. Number two is to clarify
10 the process and activities for potentially affected parties.
11 Number three, communicate the roles of DOE, EPA and the State
12 of Utah in the remediation of Monticello Vicinity Properties.
13 Number four, solicit community concerns, ideas and support."

14 The next few minutes what we would like to do is to
15 go through the background on the process that we're involved
16 in, where we're at, what's going to happen in the future.

17 As many of you are aware, in 1982 the vanadium mill
18 came into production here in Monticello. It was run by the
19 -- I believe it was the Defense Contract Department. After
20 that it was run by the Vanadium Corporation of America. And
21 in 1984 the Atomic Energy Commission acquired the millsite.
22 And their main purpose which -- produced uranium. It was
23 a government-owned operation run by a contract operation.
24 A bid was let out for that. But once again, this was a
25 government-owned mill. Sometime during that period, the

1 mill tailings were removed from the area and used in various
2 construction activities around town. And this is where the
3 property became contaminated from. And the term we used
4 to identify these properties, which is Vicinity Properties.

5 Now, it was about 1960 when the mill was -- ceased
6 operation and was dismantled about 1964.

7 Now, because it was a government-owned operation,
8 it falls under what we call a surplus facilities management
9 program. The government owns the mill. Now, this is just
10 a little bit different than the UMTRCA Program, which is
11 the Uranium Mill Tailings Program, which is being done at
12 various locations. Those were millsites that were not owned
13 by the government. They were private mills. And UMTRCA
14 only applies to those sites, the act itself. Because it's
15 a government project, government-owned facility that falls
16 under the Surplus Facilities Management Program. And that
17 came into the program in 1980. Shortly after it came into
18 the program, we were made aware of two properties that were
19 contaminated. In beginning to investigate those properties,
20 it was found that these properties -- construction on them
21 predated the actual operation of the mill, but they were
22 contaminated. The EPA came into the picture at that time,
23 determined the contamination, and EPA had the responsibility
24 for cleaning them up. We were already doing clean-up work
25 in Grand Junction, and the EPA got a hold of it, Environmental

1 Protection Agency, and we cleaned up these two properties.

2 Now, these two properties, responsibility of the EPA
3 to clean them up and certify they were clean, the two pro-
4 perties came on what is now known as a National Priority
5 List.

6 This project is being handled under the Superfund,
7 which is a Comprehensive Environmental Response, Compensation
8 and Liability Act. And under that system, there is a protocol,
9 and that's CERCLA, Comprehensive Environmental Response,
10 Compensation and Liability Act. That's good, isn't it?

11 (Laughter)

12 MR. WILLIAMSON: They coached me all the way
13 down in the car, by the way.

14 It follows that there's a certain procedure that
15 happens. There's a ranking score. And if this ranking score
16 is higher than a certain amount, which is 28.5 in ranking,
17 or, if it says half way for contamination -- air, soil,
18 water -- then you're on the National Priorities List. These
19 two properties came on the National Priorities List. And
20 there's certain procedures we follow.

21 Now, shortly after this time period in 1984, Inclusion
22 Surveys were done. And we'll talk about Inclusion Surveys
23 in just a second. But they're surveys to identify areas
24 that might be potentially contaminated that would have to
25 be cleaned up. And as of 1985, we've identified 91 properties

1 that needed to be cleaned up.

2 Now, that concludes the background on the program.
3 Now, let's talk about the current status, because this is
4 an NPL Site. Both the State of Utah and the Environmental
5 Protection Agency have become involved. Under the CERCLA,
6 Comprehensive Environmental Response, Compensation and
7 Liability Act -- I'm getting better at this all the time
8 --

9 (Laughter)

10 MR. WILLIAMSON: (Continuing) -- but what hap-
11 pens is we entered into the Federal Facilities Agreement,
12 or FFA, with the EPA and with the State of Utah. And what
13 this FFA does is basically set up their role on how the pro-
14 cedure will work, to clean up this property, what documents
15 will be used, who will have the final say on the remedial
16 action, how to take care of the Vicinity Properties. Okay.

17 Now, just to let me give you a little bit more back-
18 ground here. Since 1986, we had already been cleaning up
19 Vicinity Properties. We'd been involved in this process.
20 So, we're kind of going back now and retrofitting to some
21 degree the Superfund process for what we're doing. Now,
22 as part of that process, we were already doing what was
23 required in the Superfund. And we developed an equivalency
24 of documentation to show the EPA and the State of Utah that
25 we were basically -- that we have basically been doing what

1 the Superfund program that said Vicinity Properties would
2 all be cleaned up. In both of the State of Utah and the
3 Environmental Protection Agency, that you've got an equivalency
4 of documents of the work we've done today and set net require-
5 ments of surplus. So, we're still continuing on, but those
6 properties are already taken care of on that.

7 Now, what we're here to talk about tonight is we have
8 circulated a proposed plan that basically lays out a little
9 bit of background on the Vicinity Properties; the process
10 involved in actually remediating Vicinity Properties and
11 what's going to happen in the future with each Vicinity
12 Property. And that came out on June 30th for public review,
13 and the public reviewed comments. They were in by July 30th
14 with a proposed plan.

15 Now, the proposed plan -- and I'm jumping ahead of
16 myself. I should make mention it's available here at the
17 library. If any of you would like a copy of that, if you'll
18 see us afterwards, we'd also -- we can get you a copy of
19 that.

20 Now, basically, the procedure is, after we solicit
21 public comments, wait for a comment period, hopefully what
22 we do is a responsive summary. We address everyone's com-
23 ments. We also address the comments that EPA and the State
24 of Utah make on the proposed plan. We'll incorporate those.
25 After our responsive summary, we'll actually do a Record

1 of Decision, which will be just what the Department of Energy
2 plans to do with the Vicinity Properties on that date.

3 The remediation activities are planned to end about
4 September of 1992. The major bulk of the construction on
5 the Vicinity Properties will end in 1991. The verification
6 and certification was voted -- suggested and seconded.

7 Now, the proposed plan, as I mentioned, talks about
8 remediation of properties; the facilities. It talks about
9 remediation. It talks about the importance of inclusion
10 surveys, exclusion surveys. Okay. What that is, is that
11 we go out and we look at the property. But we have an
12 independent contractor that does that. And that's Oak Ridge
13 National Lab. They come in. They're funded by our head-
14 quarters office -- the Grand Junction Project Offices and
15 everything. They're involved with them. They come down
16 and work with the properties, and they make their recommen-
17 dations if the property should be included as a property
18 for future clean-up or excluded. And that's called the
19 Inclusion/Exclusion Process. They make their recommendations
20 and go back to headquarters. And headquarters -- the Grand
21 Junction Project Office -- critiques the project. If it
22 meets the standards, it will be cleaned up by the Department
23 of Energy.

24 I should make mention also that this project is completely
25 funded by the Department of Energy under the UMTRAP. Ten

1 percent of the project costs are borne by the State. But
2 with an NPL site and the procedure we're working on, the
3 Department of Energy takes up the entire costs for the clean-up
4 here in town of the Vicinity Properties.

5 So, we go through the Inclusion/Exclusion Process.
6 Now, if the property is included, the RAC, the Remedial
7 Contractor, which is UNC Geotech, Department of Energy, looks
8 at the property, does additional surveys and prepares the
9 report for us on what needs to be done with the property.
10 And the property is gone ahead and cleaned up.

11 As you see, many properties are already in the clean-
12 up here in town. After the property is completed, there's
13 a completion report that's done, and it's verified that the
14 property is done; certified that the property is cleaned
15 up, meets appropriate standards. And this Completion Report
16 goes to both the State of Utah and EPA for their review.
17 At this time, when all these properties have been cleaned
18 up, then we call the Environmental Protection Agency, and
19 the de-list them from the National Priorities List, which
20 is an NPL site. They'll actually de-list them and say the
21 properties are cleaned up.

22 Now, this gives you a real quick summary of how the
23 process works.

24 Now, I forgot my summary sheet, so if you'll bear
25 with me -- The Department of Energy receives and inclusion

1 from headquarters in Grand Junction. We receive that from
2 headquarters in Washington. A land survey is done by our
3 contractor, which is UNC. We will then do a radiological
4 survey of the property. We do design engineering. And then
5 we come to what we call a REA package, which is a Radiological
6 Engineering Assessment. This is just a little bit more than
7 Oak Ridge there. We identify the volumes and depths, the
8 shavings and contamination of the property.

9 We next go to the owners of the property and we do
10 a RAA, which is a Radiological -- somebody help me out there
11 -- Remedial Action Agreement -- I'm sorry. Remedial Action
12 Agreement with the landowner to clean up the property. Okay.

13 , And I would like to say, too, that this REA package
14 is scheduled for the State of Utah for their review. We
15 next develop an engineering packet. We do a bid process.
16 We remediate the site with a completion report and then the
17 verification towards the end.

18 Now, I should make mention also that both the State
19 of Utah and the EPA are involved in this process with us
20 on that.

21 Let me talk just a little bit about the roles and
22 responsibilities. The Department of Energy is the respon-
23 sible party for the clean-up of the mill tailings. The
24 millsite was at one time owned by the Atomic Energy Commis-
25 sion -- ERDA -- Energy of Research and Development Administration

1 and it's predecessor agency was the Department of Energy.
2 We are responsible for the clean-up. We are the principal
3 responsible party here in Monticello for the clean up of
4 the Vicinity Properties. The EPA is involved as a lead
5 agency because this is an NPL response action. They will
6 actually approve the documents which we have generated and
7 give us comments. They will also approve the final remedial
8 action that we do on all the properties. The State is also
9 involved as a signatory; and once again, their role is to
10 review the documents that we produce on the project and to
11 be involved in the overview as the remedial action goes on.

12 As I mentioned, the State is always being involved
13 with us on this. We started cleaning up in 1986, as I men-
14 tioned -- oh, the next part I missed. I'm getting ahead
15 of myself here.

16 As I mentioned, in about 1985 we identified 91 pro-
17 perties to be included in the program. Now, I should say
18 what standard we're using for that is 40 CFR 192, which is
19 the UMTRCA standard for clean-up. That's our applicable
20 regulations that we go by. There's not another regulation
21 in terms of tailings clean-up. So, we use the same regula-
22 tions as the 40 CFR, which is the Code of Federal Regulations,
23 192, which addresses the clean-up on the UMTRCA program.

24 At this point in time, we have cleaned up 53 proper-
25 ties in town. That leaves us with about, oh, 40 to go.

1 There might be some more come into the program, but at this
2 point in time, we have identified 91 properties and cleaned
3 up 53 of them.

4 Now, it seems kind of strange that we come to you
5 and we say, "Well, we want to talk about cleaning up the
6 Vicinity Properties and we've already cleaned up half of
7 them already." But part of this process is because we fall
8 now under the Superfund protocol. It is required for us
9 to have these meetings and let the public -- give the public
10 an opportunity to have comments on them. So, we're coming
11 here tonight to talk about the program; to receive your
12 comments.

13 As I mentioned before, we have a proposed plan out
14 for review and comment. It's a plan available here at the
15 San Juan County Library. And I would like to mention also
16 that here also is what we call the administrative record.
17 As far as the Superfund protocol, we have to place in cer-
18 tain areas our documents which led us to the decision on
19 how we're going to clean up the property. At this point
20 in time, what we've been doing is cleaning up the Vicinity
21 Properties according to the 40 CFR 192 standard. We've
22 taken the tailings and taken them down to the millsite area
23 where they'll be plotted at some future time with the rest
24 of the millsite tailings down there. So, we're hauling them
25 basically down to the millsite. This is the same thing we're

1 doing in Grand Junction based under the UMTRCA Program. We're
2 hauling it from the area to the millsite on that. We're
3 cleaning it up to the standards. We're moving the material
4 down to the millsite. We're having the property verified.
5 It is cleaned up, and we're certifying it is cleaned up.
6 We're making this progress on 53 properties now.

7 After the 30-day public input from July 30th, as I
8 mentioned before, we will develop a responsive summary to
9 address every one of the comments they've made specifically
10 related to the clean-up of those Vicinity Properties.

11 I should make mention: In our distribution of docu-
12 ments, our handout this evening, most of all of this program
13 is listed, documented. But we want to continue contacting
14 the public throughout this process. I don't think it's our
15 role to just come down and have a meeting and not stay in
16 touch with those involved in the process. We want to make
17 ourselves available throughout the entire process. Our main
18 contact for any questions or answers is Mr. Peter Mygatt.

19 It gives his address and phone number on the back of this
20 sheet here (indicating). If you'll just look at that.

21 Once again, if you have any questions, feel free to
22 call collect to Mr. Mygatt. If he's not there, hang up,
23 and he'll phone you right back on that.

24 Betty, is there anything I haven't covered that you
25 might want to cover?

1 (Whereupon, an off-the-record
2 discussion was had.)

3 MR. WILLIAMSON: This is the proposed plan
4 that addresses the Vicinity Properties Clean-Up. As I men-
5 tioned, it basically addresses the background; the local
6 UMTRCA and what we plan to do in the future. There are plans
7 to continue to clean up the properties here in town until
8 we're finished with those properties.

9 Yes?

10 PARTICIPANT: Is there also a map on the back-
11 ground? It would be easier to identify those specific
12 properties.

13 MR. WILLIAMSON: Once again, as Betty mentioned,
14 we went to great lengths to make this short -- on that -- I
15 don't believe there is many pages on that.

16 PARTICIPANT: All right.

17 MR. WILLIAMSON: I guess with that, unless
18 there is anything that any member would like to address,
19 we'll go in question and answer.

20 And just let me mention here that we brought some
21 folks along that can answer some of these questions. I'll
22 kind of address those to them. But if you -- We talked about
23 -- Anything that's involved with BS&H, we'll address that
24 to Tracy Plessinger over here.

25 PARTICIPANT: That's not in that thing on the

1 acronym list. The environmental --

2 MR. WILLIAMSON: The Environment, Safety &
3 Health --

4 PARTICIPANT: Safety & Health, BS&H?

5 MR. WILLIAMSON: Yes. Okay. Anything to do
6 with DOE policy, Betty Hollowell will answer that. Anything
7 to do with the RAA processes, which is the Remedial Action
8 Agreement, Ms. Plessinger and Mr. Brian Mathis will take
9 care of. And anything to do with EPA policy, Mr. Lam Nguyen
10 and Mr. Ali Joseph will handle that.

11 That concludes our part of the presentation this
12 evening. Are there any questions or comments which you have
13 concerning the three-month -- which -- or the Vicinity
14 Properties here in Monticello?

15 MS. ALETA PETERSON: I just want you to know,
16 that's about all the people we have here.

17 (Laughter)

18 MR. WILLIAMSON: I think there's about 2,200
19 people in town; isn't there?

20 MS. PETERSON: No. I didn't mean people. I
21 meant houses.

22 MR. WILLIAMSON: I don't know how many houses
23 there are.

24 MS. PLESSINGER: I'm sorry. Could I get a name?

25 MR. WILLIAMSON: Oh, I'm sorry.

1 MS. PLESSINGER: I'm trying to prepare a report
2 here.

3 MR. WILLIAMSON: We need your name.

4 MS. PETERSON: Aleta, A-l-e-t-a.

5 MR. WILLIAMSON: And you live in Monticello?

6 MS. PETERSON: Yes.

7 MS. PLESSINGER: Last name?

8 MS. PETERSON: Peterson.

9 MS. PLESSINGER: Okay.

10 MR. WILLIAMSON: What was the question again?

11 MS. PETERSON: I just was wondering, 91 -- seems
12 like that's about all the houses there are in this area.

13 MR. WILLIAMSON: 91 seems about all the houses
14 in this area. I don't know what there exists.

15 PARTICIPANT: The inclusions may not necessarily
16 be a house. It can be a vacant lot or something like that.

17 MR. PARD SLADE: I think there's about 990
18 individual properties on the tax role. Not all of them,
19 obviously, have a home on them, but -- in Monticello.

20 (Whereupon, an off-the-record
21 discussion was had.)

22 MR. PARD SLADE: After you get these tailings
23 down there in the millsite, then what are you going to do
24 with them?

25 MR. WILLIAMSON: Could we get your name? I'm

1 sorry. She keeps coaching me.

2 MR. PARD SLADE: Slade, S-l-a-d-e.

3 MS. PLESSINGER: Thank you.

4 MR. WILLIAMSON: Are you from Monticello?

5 MR. SLADE: Yes.

6 MR. WILLIAMSON: What was your question again?

7 MR. SLADE: What are you going to do with these
8 tailings after you get them down there; this contaminated
9 material? After you get it down there, then what are you
10 going to do?

11 MR. WILLIAMSON: What are we going to do with
12 the tailings after we get them there? As I mentioned, the
13 Vicinity Properties are on the NPL list. They're listed
14 on the NPL list. The millsite will also be on the NPL list.
15 We are going to right now, on the millsite, go to the Super-
16 fund protocol. What we're generating right now is we're
17 into this process with the Vicinity Properties because we
18 had to clean it up. But we will develop what we call a RIFSEA.
19 That's a Remedial Investigation Feasibility Study Environmental
20 Assessment.

21 Once again, I was coached on that.

22 (Laughter)

23 MR. WILLIAMSON: Since part of the protocol
24 is that you do a remedial investigation that identifies what
25 contaminants you have, the extent of the contamination and

1 where it's at, the next part is the FS. We look at a number
2 of alternatives on cleaning it up. We will try a set of
3 criteria; list one of those alternatives. And those criteria
4 -- there are nine criteria reviews on that. So, from that
5 FS study, you develop a proposed plan of remediation for
6 the millsite, what you would like to do with the mill tail-
7 ings down there to solve the problem. After that's done
8 -- I should back up. We'll also do an environmental assess-
9 ment, which is a NEPA compliance. We're regulated by the
10 National Environmental Policy Act. We have to do an environ-
11 mental assessment on the impact of the clean-up. And so
12 we'll have a RIFSEA that has been submitted to both the State
13 of Utah and the EPA. And we have their comments, and we're
14 addressing those comments right now. When those comments
15 have been addressed, we will hold a public meeting, as we're
16 holding here, and we will address the clean-up of the millsite.
17 As we have the public comment period, we'll respond to the
18 public comments and respond to the summary. With EPA and
19 the STate of Utah, from the comments that we'll receive,
20 we'll develop a Remedial Action Plan for the tailings at
21 the millsite -- whether that's hauling them off some place
22 or stabilizers in place or whatever alternative is chosen.
23 We'll then come out with a Record of Decision on -- this
24 is what we're going to do with the tailings at the millsite.
25 And then also with the FONSI -- This is a Finding of No

1 Significant Impact -- if there are no significant impacts
2 from the action herein dictates.

3 I would think that probably sometime within the next
4 four to six months, we'll be holding a public meeting on
5 the RIFSEA for the Monticello millsite.

6 So, that's a separate entity. That's -- That will
7 be -- That's on the NPL itself. Both the millsite and the
8 Vicinity Properties are both NPL sites. They're not together.
9 They're separate. And so we have to handle that separately.

10 MS. ALETA PETERSON: I thought that they had
11 come out with a deal there where they'd cover it -- pertaining
12 to dirt and grass and whatnot -- that it would not ever affect
13 anybody. But when it's left open, it's supposed to radiate.
14 They go down there; they put dirt over it; they put grass
15 on top of it. Then why do they need to move it, if it's
16 not going to affect anybody.

17 MR. WILLIAMSON: One of the considerations
18 is that that -- It's the depth of the layers over the tail-
19 ings on that; what the thickness of the design of the cover
20 is on that. The design of that -- If the cover is down and
21 out and does not meet that design criteria, if it was laid
22 on initially --

23 MS. ALETA PETERSON: Rather their moving it,
24 then why don't they just put more on it?

25 MR. WILLIAMSON: We have considered that also,

1 and that's going to be one of our alternatives. We've also
2 considered no action alternative for the millsite. One of
3 our concerns is the presumptive standards; it relates to
4 ground water. That's being proposed by the EPA. Those stan-
5 dards say that the tailings cannot be in contact with the
6 ground water. At this point, they are in contact with ground
7 water. So, that means that you take into consideration the
8 remedial action alternatives. And as I mentioned before,
9 we're going through that process right now. And then we'll
10 give the public, once again, an opportunity to look at those
11 alternatives that each develop and then make comments on
12 the appropriates of those alternatives -- each one of the
13 Remedial Action Alternatives on that.

14 I think -- You know, I can't say what we're going
15 to rely on, because we're still in the process of working
16 through. We got to go out to public comments, too, on that.

17 Does that answer your question?

18 MS. ALETA PETERSON: (Indicating affirmatively.)

19 MR. WILLIAMSON: Yes? Yes?

20 MR. JOE SLADE: I need a question to you. Joe
21 Slade, S-l-a-d-e. We do appreciate some of the clean-up
22 around town. As I explained it, the City Councilman explained
23 it -- we need -- A route out is needed by the County. But
24 the question comes back, and maybe you can bring me up to
25 date on where we stand. But I asked you before if you could

1 help us on the road down next to the tailings pile. Have
2 we submitted that question to you yet; what it would cost
3 to fix that road up?

4 MR. WILLIAMSON: That's on Clay Hill Drive,
5 isn't it? That's what you're suggesting?

6 MR. JOE SLADE: I don't know.

7 MR. WILLIAMSON: Brian?

8 MR. MATHIS: As far as I know, we haven't --
9 We haven't received anything from them as far as that goes
10 on that. But we will be discussing that -- what they need
11 on that when it's submitted.

12 MR. WILLIAMSON: And as we mentioned before,
13 the contact for that is Mr. Bob Ivey. He's in the Grand
14 Junction Project Office.

15 (Whereupon, an off-the-record
16 discussion was had.)

17 MR. JOE SLADE: Do you do any policing of heavy
18 trucks? Last year you had some tremendously heavy trucks
19 going down there, and they were beating the road to death.

20 MR. McLEOD: All of the trucks are weighed as
21 they come through to dump their load.

22 MR. JOE SLADE: They were weighed before, and
23 they were way overweight. I happened to see that --

24 (Whereupon, an off-the-record
25 discussion was had.)

1 MR. McLEOD: That was one of the problems.

2 MR. JOE SLADE: They were tearing up the road.

3 I think the subcontractor ought to take some action regard-
4 ing that.

5 MR. McLEOD: Yes. We are watching that.

6 MR. JACKSON: Jerry Jackson, Monticello. There
7 are a number of owner refusal properties on the map here.
8 What will be the status of those? Will they remain owner
9 refusal after the -- Will they remain hot after the 1992
10 deadline? Can you comment on that?

11 MR. WILLIAMSON: The question was asked about
12 owner refusals and how we are going to handle those owner
13 refusals. I'm going to leave that with Mr. Lam Nguyen in
14 the Environmental Protection Agency.

15 MR. NGUYEN: We are required by law to clean
16 up -- required by law, through the regulations, to clean
17 up all of the contaminated areas within the vicinity pro-
18 perties. And if we have to, we will get a Warrant -- get
19 an Order to clean up, if we have to.

20 MS. ALETA PETERSON: Now, what did you say?

21 MR. LAM NGUYEN: We are required by law to clean
22 up all of the properties.

23 MS. ALETA PETERSON: Whether they choose or
24 not to?

25 MR. NGUYEN: To get a Warrant, if we have to.

1 MS. ALETA PETERSON: What if they refuse it;
2 they don't want you in there? What can you do? Just go
3 in and take their property?

4 MR. NGUYEN: I don't know. I guess --

5 MR. WILLIAMSON: I don't think it's a matter
6 of taking their property. EPA does not plan to take their
7 property. But on this surface and Superfund, this is Mr.
8 Lam Nguyen's immediate steps on that. It has to be cleaned
9 up.

10 MS. ALETA PETERSON: Well, what do you do about
11 it, if they don't let you?

12 MR. WILLIAMSON: You'll have to address that
13 to the lead agency, the EPA, because they're the lead agency
14 on response action here.

15 MR. NGUYEN: I think -- If I may: It depends
16 on the particular circumstance. They will look at it, you
17 know, individually. It's not a blanket type of thing. But
18 if the property is just affected, the property owner, and
19 it doesn't migrate, any of the pollution, or whatever, that
20 would be one thing. But the migration is something that
21 EPA does take into consideration. So, if it affects other
22 people, then we'll have to look at those things individually.

23 MS. PETERSON: But what if they do? What are
24 you going to do if people don't let you in? You haven't
25 answered that.

1 MR. JOSEPH: I think that ought to be determined
2 after consideration of --

3 MS. PETERSON: But if they come in and they
4 say that they've got a foot of dirt that needs to be taken
5 out, and after the others have taken out all the way around
6 your property, you're saying then that if it won't move around,
7 you plan on leaving it there; and if it moves around, you
8 know, they'll know they'll have to take it out?

9 MR. JOSEPH: You know, without looking at it
10 individually, it would be hard for me to say whether it would
11 or wouldn't.

12 MS. PETERSON: Then what are you going to do
13 then about the land?

14 MR. JOSEPH: Well, to make that determination,
15 you know, it's a lot like people. The decision would be
16 made after we saw what the concern was; what the areas of
17 migration might be; the ground water, air. I think all those
18 things would have to be taken into consideration. But it
19 is a concern of more than just the property owner.

20 MR. PARD SLADE: Well, what if they want to
21 go ahead and sell this property before you get a chance to
22 clean it up?

23 MR. WILLIAMSON: The question -- Could we get
24 a name?

25 (Whereupon, an off-the-record
discussion was had.)

1 (Laughter)

2 MR. WILLIAMSON: I think the question was,
3 "What if they want to sell these properties before they're
4 cleaned up?"

5 MR. PARD SLADE: Before they're cleaned up.
6 If they refuse to have them cleaned up and then they want
7 to sell it, what happens then?

8 MR. JOSEPH: Well, that's something else again.

9 (The Reporter could not discern
10 the next series of conversa-
11 tions.)

11 MR. JOSEPH: There's nothing to prohibit, you
12 know -- There's nothing that's set in stone. I think most
13 people would have a concern about it, you know, if you did
14 sell it like this. But in either situation, it would be
15 more difficult. But nothing else, at least -- I'm just
16 conjecturing now, because there's not a definite policy that
17 you can't -- you know, you can't do what you want with it.

18 MS. PETERSON: But couldn't the people just
19 clean their property up and go to the courthouse and sign
20 a stipulation on their deed that says that, "Enclosed, (this
21 property is cleaned up for such sale?)" And is that not --
22 so that nobody can buy it until that's cleaned up?

23 (Some colloquy undiscernable.)

24 MR. PARD SLADE: When you've lived on the pro-
25 perty and stuff all your life, these people, they don't --

1 They don't really see what the problem is. So, it's not
2 -- It's something foreign to them to go in and clean this
3 up. So, why should they clean it up? They haven't put their
4 lives in it.

5 (Some colloquy undiscernable.)

6 MS. PETERSON: Have you ever taken a geiger
7 counter and run over a luminous dial watch? Have you ever
8 taken a small geiger counter, if you have so many problems,
9 and figure out how much of that stuff you have to take out?
10 Have you ever taken it and put it over your luminous dial
11 watch? It picks up more than what you have to take out of
12 the ground.

13 We have a plot at our house, and it's all there. It
14 puts out 300 retines -- whatever is there.

15 (Whereupon, the remainder
16 of her comment was unintel-
17 ligible. I couldn't discern
it. The tape recording pick-up
was very inadequate.)

18 MR. WILLIAMSON: Yes?

19 MR. HARRY RANDALL: On the comments of the radi-
20 ation, I'm the owner of the most expensive house in Monticello,
21 due to the mill tailings process.

22 (Laughter)

23 MR. RANDALL: I'm glad to see a final desire
24 to do something.

25 They came into our home and told us our home was high

1 in radiation; but something would be done, and they would
2 notify us. It took a little over twenty years for someone
3 to notify us.

4 (Laughter)

5 MR. RANDALL: I hope that you get the rest of
6 these people taken care of before then.

7 As a result, I hope also they've learned a lot about
8 taking care of people's homes and ground also. I shudder
9 when I think what might have happened. I'm out there in
10 my home in Mesa, Arizona, and I come up here and rented a
11 home just across the street and watch them day by day
12 rebuild my home. It's starting to fall apart already. Now,
13 come down tomorrow, and that, and I'll show you some of the
14 walls and you can look at the outside where it's starting
15 to separate. And they put the plaster on, and it's against
16 the wood. And they had to knock all the plaster off clear
17 around the house. And it wasn't even mixed properly enough
18 -- metal laths

19 Well, I'm just a little bit unhappy with the home;
20 the way it was done. And I'm just a little bit unhappy with
21 the contractor of the job.

22 MR. WILLIAMSON: That's UNC.

23 MR. RANDALL: But I have a daughter who was
24 medically tested and lives in Florida. She first gave a
25 kidney to my son, who had kidney cancer. And the doctors

1 could not tell us why they had a real skinny look. Both
2 of them had worked around the tailings.

3 (Whereupon, there was some comments
4 that were undiscernable.)

5 MR. RANDALL: (Continuing) -- So, my daughter
6 gave a kidney. And it was about a year after that she had
7 cancer in the breast. The doctor who used to work -- He
8 was working in Florida. He used to work at the University
9 Hospital in Salt Lake at the time when all this uranium scare
10 was going on here. And he told her that she had a very good
11 case and he would even testify for her, if she were to sue
12 the government. Well, now my other son has a spot on his
13 lungs.

14 (Whereupon, some comments were
15 indiscernable.)

16 MR. RANDALL: So, I'm glad to see that they're
17 finally waking up now and starting to do something.

18 Now, you made one statement here at the end that I
19 don't feel is quite true, when you said that most VP contami-
20 nation from the tailings come from people going down to the
21 mill and getting some of them tailings. There's a daily
22 wind that blows here. We had quite a rash of leukemia with
23 the younger people that have been around the millsite and
24 whether that was from the fall-out, the Nevada test site,
25 we don't know. But I think that since this is a government-

1 owned mill. It should have gotten attention a lot sooner.
2 I think the people here should receive first priority,
3 but private industry-owned mills got cleaned up first.
4 Also, the government doesn't use any horse sense.
5 I've talked to two different architects who told me they
6 could have torn my home down and replaced it for half
7 of what it cost. My home -- And I'm not right sure --
8 but they spent somewhere around \$148,000.00. I know, in
9 talking with the Environmental Agency spokesman, people,
10 I told them, I said, "That home is going to cost the taxpayers
11 better than a half million dollars." Because by the time you
12 take the expense of all of those Grand Junction people who
13 drove here day after day; and many time there were three or
14 four men in four separate cars, and they left there always
15 within thirty minutes of each other. They all come in sepa-
16 rate cars. So when you take that expense, all the people
17 in Grand Junction, the inspectors, EPA costs in Grand Junction,
18 and then take all the expense from the Denver office, because
19 my home went over the one hundred and something thousand
20 dollars in it -- they had to get permission from the office
21 up in Idaho; so when you take all this office expense, the EPA,
22 with regard to the clean-up of our home out of Washington,
23 I know that the clean-up of that home cost the taxpayers over
24 one-half million dollars.

25 (Whereupon, some colloquy took
place that was unintelligible.)

1 MS. PETERSON: When you're removing the tailings
2 and all the dirt and dust is blowing back on my property, are
3 they going to come along and recondemn it ten years down the
4 road?

5 MR. WILLIAMSON: There's two things that we're
6 doing -- actually three things. We're watching that. One of
7 our safeguards is that after the property is cleaned up, we
8 verify it after it is done. We plan to do that on 10-foot
9 centers to make sure that none of this occurs where we recon-
10 taminate it by merely hauling the tailings away. We have to
11 verify it once again and certify that the property is clean.
12 Another safeguard that helps us in that way is to have an Oak
13 Ridge man comes in that helps us and also makes a check on
14 certain of these properties to make sure that they're clean
15 also in that sense. So, we have a checklist to make sure that
16 every thing doesn't happen. But that's a concern to us. We
17 don't want to clean up part of the property and contaminate
18 the rest. It sure wouldn't make much sense to clean up part
19 of it and contaminate the rest of it. So, that's why we have
20 to go back in and verify that the property is clean.

21 (Whereupon, some colloquy
22 regarding dust control being
controlled by water.)

23 MS. HUNTER: We were told, when they come and
24 talked to us, that if we were not satisfied, we had a year to
25 protest. Anything -- And they'd come back in and fix it the

1 way we wanted it. Well, when they come back to talk to me and
2 all, they brought the inspector and he looked at it, and he
3 said, "I see nothing wrong with it. Why don't you water this
4 lawn?" And I said, "The water won't go on this lawn. It will
5 not water." And he said, "The only thing this lawn needs is
6 some water and some fertilizer." And I said, "It's been
7 watered, and it's been fertilized." And he said, "Well,
8 we'll get back to you." And I don't see anything out there.
9 We've never heard another word from him. And I talked to three
10 or four other people and told them the same thing. And come
11 to find out, it's the same subcontractor who has done every
12 one of them.

13 MR. WILLIAMSON: I think, once again, we'd like
14 to talk to you after the meeting on this situation.

15 MS. HUNTER: Because everyone that has asked me,
16 "How do you feel about it?" I've said, "I wouldn't have them
17 in there to do anything to your property."

18 MR. RANDALL: There's a vacant piece of property
19 right across the street from my home. And they got to make
20 an -- The man who owned that property moved some of my machinery
21 over there while they cleaned up my place. So, in the mean-
22 time, I got one of the men to let me take a --

23 MR. WILLIAMSON: Scintillometer?

24 MR. RANDALL: (Continuing) -- and I got him to
25 let me take that Scintillometer and go over there and just

1 test it down where they had placed the machinery. And it was
2 testing as high as my property. And I don't know whether you
3 got that on the clean-up list or not.

4 MR. WILLIAMSON: We'll check that out after.

5 MR. GARY CROWLEY: I'm Gary Crowley from Eastland.
6 And I would like for you to go back to your overhead on your
7 slides and go through the process and show me, piece by piece,
8 how you determine the process; whether the property is hot and
9 what process you go through after that.

10 MR. WILLIAMSON: Okay. Is this the one (indi-
11 cating)? Now, the question again?

12 MR. CROWLEY: What I would like to -- What I would
13 like to know is that -- I have the same concern that Harry has.
14 We worked with Bendix and now with UNC and with DOE and all.
15 And I guess, maybe if you'll go around the country, you think
16 that maybe other people would have horse sense. But I see a
17 lot of things that maybe would save the taxpayers numerous
18 amounts of dollars, and yet none of those things occur. And
19 I would like for you to take an average property and go through
20 that and tell us how much time is spent by each one of those
21 separate entities, and then give me a cost of what it costs
22 to enter into the actual field. My concern is the same as
23 Harry's. I think -- We had \$150,000.00 spent on his property
24 to reimburse the contractor. But I want to know what some of
25 these properties are costing; for example, one that we did

1 today. It was assessed hot. We went in and cleaned it up in
2 two or three hours. And I want to know how much it costs the
3 taxpayers.

4 MR. WILLIAMSON; Well, we're sure it costs above
5 and beyond what it cost to have the property -- above and
6 beyond what the subcontractor received for his work.

7 MR. CROWLEY: And I know what some of the sub-
8 contractors do, but I don't know what it actually costs the
9 taxpayer, and that's the area I would like to know. And that's
10 what I feel like; that the general public should be concerned
11 with -- how much this is costing. No one seems to know that.
12 I've asked this question several times, but --

13 MR. WILLIAMSON; Well, just before I kind of
14 address that to Brian, I should say that, once again, as an
15 agency of the United States government, we're required to do
16 certain things. And by that, we have to certify that these
17 properties are clean. That certification process is above
18 and beyond what the work process is. But we have to certify,
19 literally, that those properties are clean. Just because --
20 that's more important than the NPL, because the State of Utah
21 and the EPA also work with those certification reports that
22 are provided in our completion report.

23 And we have to go through this process with all the
24 checks, with all the people involved, to certify once again
25 that these properties are clean. There are administrative

1 costs to actually certify these properties are clean. If it
2 was just a matter of cleaning up the properties, we'd be will-
3 ing to subcontract them and submit it. But because of the
4 involvement we have and the potential health risk, the
5 Department of Energy does have to certify. And there's a lot
6 of overhead that goes into that certification. And let me say
7 that this isn't just something that we think up. That's what's
8 been set down by regulation that we have to follow. It comes
9 through the CERCLA, and all these things have to be done on
10 that.

11 MR. CROWLEY: I think that's all well and good,
12 but I think that the public should be aware of what all these
13 rules and regulations cost the taxpayer. Let me give you an
14 example We had a fire right out there by my place on BLM
15 property. And we discussed rules and regulations. Well,
16 first off, I went down there to ask them if they might read
17 me those in order to put the fire out. And they said, "No,
18 they didn't need nobody." They had about twenty people lined
19 up in the barrow pit running on the back side waiting for the
20 fire to go down so they could fight. And so I said, "Well,
21 that's fine. I'll go back." And later on I got a call, and
22 they said, "Yes. We need dozers. We need two of them. Can
23 you get them down there?" And I said, "Yes, I could." So,
24 they tell me, "Yes. The forest is burning down." But they
25 tell me, "Rules and regulations. To hell with the forest.

1 Let it burn down. We have to have an RPR there, and he can't
2 get there until 9:00. Now, this is what I'm talking about;
3 the horse sense thing. It has to be some kind of a common
4 sense thing that we go to, or this country is going to strangle
5 on its own red tape, and we're all going to go down together,
6 I feel like. So, I want you to explain approximately what
7 an average cost is costing the taxpayers for the clean-up of
8 these properties.

9 MS. HOLLOWELL: We will answer that question.
10 I won't answer it here tonight, because I'm afraid they're
11 just -- We don't have the figures to answer it here. But
12 there are several ways that question can be answered. But it
13 takes the whole estimated cost of the project and divided by
14 the number of properties and so on. There are a number of ways
15 to do it. And we will answer your question, you know, some
16 way. And we hope this will lead to a satisfactory answer for
17 you and be more specific and more detailed. And we hope this
18 will satisfy and address each one of the problems that you
19 mentioned. There are some common costs that are required by
20 law because of the surveys that have to be done; that are
21 required by the EPA regarding these contaminated properties.

22 So, it's very hard to arrive at an average cost, unless
23 you specify the numbers. Now, if you have a specific property,
24 we can do that.

25 MR. CROWLEY: Well, I was thinking that --

1 MR. MATHIS. The only thing I could do for you
2 tonight is to walk you through this process and give you an
3 idea how long each one of these steps would take, one person
4 the time frame.

5 MS. HOLLOWELL: Certainly we could come up with
6 figures of the project regarding so many man hours -- say
7 you've got two men working on the project with their heavy
8 equipment -- which is lots of money. But when you take every
9 man that has to work on that project, you can come up with
10 figures that we can say, "I think it's going to cost \$80,000
11 or \$30,000 to do that job.

12 MR. MATHIS: Construction costs are basically
13 very easy to give you a cost total of what a project is going
14 to cost. But as the property gets included and goes through
15 this process, it's a production line concept. So, we may
16 give a person -- For instance, the first step here is land
17 surveys. We may send out some surveys to say, "Here's 15
18 inclusions. We'll survey these properties." So, for 15 new
19 inclusions -- Well, one property. Let's just talk about one
20 property. One property, an average size, you're talking
21 probably less than a day for one person.

22 MR. CROWLEY: Do you have a budget set up -- a
23 yearly budget set up as to what you'll spend in Monticello?
24 How do you determine that?

25 MR. MATHIS: Yes, we do.

1 MR. CROWLEY: And how do you arrive at that
2 figure?

3 MR. WILLIAMSON: Of the budget?

4 MR. CROWLEY: Yes.

5 MR. WILLIAMSON: The budget is an appropriation,
6 and it is given to us -- comes from headquarters, based on
7 what we request. And it's really an estimate of the number
8 of properties we have to do. And it's very difficult to
9 get an estimate of what we think we need, when we don't have
10 the knowledge of what we're really going to be actually doing
11 with it. We're guessing that each property will cost an
12 "X" amount to clean it up. And then we figure out how many
13 we can do, based on once we get in, survey the property and
14 get the radiological assessments done. So, what we say in
15 our next budget, we may say we're going to do 15 properties
16 this year for \$4 million; but that may or may not be the
17 case, because these properties, we don't know what they are.
18 So when we actually see the properties and we get them sur-
19 veyed, we may be able to do 20. We may be only able to do
20 half.

21 MS. PETERSON: On your budget for last year,
22 how many properties did you --

23 MR. TONC: Well, actually, I believe we did
24 13 different properties, but I'm not sure. And at this time
25 I can't even tell you what the budget is.

1 MR. WILLIAMSON: Yes?

2 MR. TONC: It depends on the size of the pro-
3 perty.

4 (Whereupon, some unintelligible
5 colloquy occurred.)

6 MR. TONC: So, it depends on the properties.
7 Today's will be very inexpensive, the contract looks like.

8 MR. MATHIS: It's the same price.

9 (Laughter)

10 MR. TONC: A smaller property, we try to go
11 out and do a shorter version, where it's called a detailed
12 basic ordering agreement. And we have a number of the unit
13 prices: so much to move dirt, so much to do this. And we
14 go onto the property without going through the full blown
15 process. So, we do make that attempt. But we do have the
16 information available; maybe not by each step in that process,
17 but at least stating the process and what it costs us on each
18 property. We can break it down and do the costs and the
19 amount expended. But to give that kind of information out,
20 I don't have it in front of me. Brian doesn't. And it would
21 be inaccurate. But we can provide it.

22 MR. CROWLEY: I would like you to state some
23 of those figures on all the overhead and, you know, what the
24 total cost was on the properties.

25 MR. TONC: Of course, that tends to be privileged

1 information, unless we choose to release that information.

2 MR. CROWLEY: Can you get that through the
3 Freedom Information Act?

4 MS. HOLLOWELL: It sounds like what you're ask-
5 ing can be available, and I don't see any reason why -- what
6 you're asking for won't be provided in the responsive summary.
7 Just fill out your questions.

8 MR. TONC: But the biggest problem is not only
9 to do the removal, but we want to make sure that all the pro-
10 perty -- what to make sure it's documented, well documented;
11 that the inclusions of the property was either excluded for
12 a reason -- it didn't have contamination -- or it was included
13 for a reason. And if it was, there was an engineering design,
14 the REA assessment, so that the owner, the State of Utah,
15 can agree what has to be done. So that we could have an
16 agreement -- and now the EPA in that process. And then to
17 do remedial action and the certification of execution that
18 it's cleaned up. It all has to be documented. It has to
19 go to a record. It has to be microfilmed. It has to be safe
20 forever. And so if there's any question with regards to Mr.
21 Randall's property or anybody else's property five, ten years
22 later on, what was done, we can go back to that record and
23 see what was done. And that is a high percentage of the pro-
24 perty.

25 MR. WILLIAMSON: Yes?

1 MR. RANDALL: Bendix Corporation was making
2 so much money in this that some other outfit come in and
3 bought them out.

4 MS. HOLLOWELL: Well, it wasn't us.

5 (Laughter)

6 MR. RANDALL: Now, Oak ridge died -- Laboratories.
7 Do you give them -- Are they on any kind of a cost-plus basis?

8 MR. WILLIAMSON: All right. Let me just
9 explain this -- what happened -- what the government did.
10 The Department of Energy historically is the prime contractor.
11 The Bendix contract came up for bid, and it wasn't a matter
12 of UNC buying out Bendix at that point in time. They submitted
13 a bid, and that was the bid that produced the results that
14 the Department of Energy needed. And so they were then
15 selected as the project -- what we call the Remedial Action
16 Coordinator on it. Let me explain the role of Oak Ridge.
17 Oak Ridge Laboratory, they buy -- and once again, this is
18 handled through headquarters -- but there are independent
19 checks. And other than having the radioactive contract of
20 UNC going out and deciding what home should be included for
21 remediation -- because they're going to eventually do the
22 remediation -- that's like having the fox watch the hen house.
23 We sent out an independent contractor. I don't oversee their
24 budget. Oak Ridge goes out and does inclusions -- the inclusion
25 surveys. That information goes to headquarters, and then

1 they tell us what properties will be included for cleaning
2 up. So, as Mr. Tonc mentioned, there's an involved process
3 here to make sure that everything is done appropriately.
4 That's why we use the Oak Ridge people as an independent.
5 They add these properties to the survey on that. I just
6 needed to make that clear on that.

7 Yes?

8 MR. TONC: I think there's also a partial ques-
9 tion about cost-plus. Our fee arrangement with the Department
10 of Energy --

11 MR. WILLIAMSON: I think he was asking for a--

12 MR. RANDALL: Or any of them: Bendix or--

13 MR. TONC: Well, UNC, I can tell you what ours
14 is. Every year we submit a budget on what we think it's going
15 to cost to complete all the works in Grand Junction, and which
16 Monticello is a fairly small portion of that work. Grand
17 Junction is the majority. And based on that budget, there's
18 a negotiation entered into of what the fee will be paid to
19 UNC to perform that work will be. Every six months we are
20 rated by the Department of Energy on how well we perform that
21 work; and we're given a percentage of that fee that's avail-
22 able, based on our performance. So, it's very important to
23 us that we have comments about the dust, about cracking the
24 concrete; that kind of thing that we take care of, because
25 that maximizes our available fee.

1 MR. CROWLEY: What is that -- that maximum fee?

2 MS. HOLLOWELL: Not enough.

3 MR. TONC: Not enough. It's very low. Very
4 low.

5 (Laughter)

6 MS. HOLLOWELL: Vince, you might want to add
7 that in the past three years, if anyone who is present really
8 knows, the Vice President and the Financing Administration
9 really know the answer to that, you know, what that top ceil-
10 ing is.

11 I feel, you know, that on behalf of the NCR to mention
12 that since we've been managing the work for the Department
13 of Energy, that through the efforts of our employees and a
14 program called Productivity Improvement, more than \$4 million
15 of taxpayer dollars have been returned. It's money that had
16 been budgeted during the year to be spent for work. And these
17 folks have found a better way to do it. So, we've been able
18 to return that money, and it essentially went back into the--
19 wherever the Federal Government keeps its money.

20 MR. TONC: At the risk of having Karen tell
21 my boss that I said this, I will answer your question.

22 MR. CROWLEY: Sure.

23 MR. TONC: It's around 5%.

24 MR. CROWLEY: Of the overall budget?

25 MR. BONC: Of the overall budget. So, it's

1 not very much.

2 MS. HOLLOWELL: That's what I said; it's not
3 very much.

4 MR. CROWLEY: You operate on a cost-plus basis;
5 is that correct?

6 MR. TONC: The fee is negotiated, depending
7 on the budget. But it is not a straight line curve. The
8 curve starts tipping over as to the more dollars you have
9 -- it's a lesser percent. And then you're rated on an equal
10 plan. So, it's relationship is -- in your opinion, the public,
11 you said, "Yes, it was a cost-plus, but it really doesn't
12 end up quite doing that."

13 MR. CROWLEY: How was your rating with the DOE?

14 MR. TONC: As Karen said, we've been very good
15 to date.

16 MS. HOLLOWELL: In fact, we've been excellent,
17 but we haven't got a hundred percent.

18 MR. CROWLEY: Are you reimbursed, when you say
19 you saved the taxpayers \$4 million?

20 MS. HOLLOWELL: No. No. That doesn't -- We
21 don't get a percentage of that, because that's the government's
22 money. So, instead of -- say, for example, we had a \$2 million
23 budget and we returned at the end of the year -- we only
24 spent nine of that through better efficiency, better way
25 to do it. We don't get the extra million. You know, that

1 goes back to the government, and we don't get a percentage
2 of that. Because at the beginning of the period that's being
3 appraised is when you negotiate what the budget is going
4 to be and what the award fee pull might be. So, that liter-
5 ally is a savings. That's a question, by the way, that our
6 employees frequently ask, you know: "What happens to that
7 money that's saved?" It goes back to the Federal Government.

8 MR. RANDALL: I'll be glad to hear some goes
9 back.

10 (Laughter)

11 MR. TONC: As a matter of fact, I think we
12 returned over \$12 million during the past three years in
13 a program involving hundreds, and that was through producti-
14 vity, quality improvement. And those aren't things we esti-
15 mated the property to be larger than you found today. Those
16 aren't in the productivity, quality improvement submittal.
17 That's trying to do things better, as you talked about in
18 the process -- "How do we do things better in the process?"
19 And one of those ways is to go with it --

20 MS. HOLLOWELL: And in a lot of cases, it's
21 an employee coming up with an idea, you know -- "Why are
22 we using four pieces of paper to do this, when we really
23 only need just one?" So, when somebody sits down and calcu-
24 lates how much money you can save, not only in the time,
25 manpower saved, but in the supplies saved -- So, it's really

1 been a beneficial program because it gives folks a chance
2 to improve their own work process, you know; to make their
3 job smarter -- not necessarily easier -- but certainly they're
4 working smarter instead of harder.

5 MR. WILLIAMSON: Do we have any other questions
6 or comments?

7 MS. PETERSON: I'm going to say one thing.
8 We bought a house down here, I think, two years before we
9 moved in. And I've already had my house done. But what
10 I worry about are these 40-odd-more-people that have to have
11 their house done. Deanna had hers done, and it looks like
12 heck. They've come in and they take the dirt out. That's
13 okay, if they want to take all that dirt out and put good
14 dirt back in. Because where I was at, evidently it was ter-
15 rible dirt, because Tommy said -- the guy next to me said
16 that he owned all that property. And I guess they came up
17 there and did a lot of fill dirt in that area with -- from
18 the mill tailings. But up in front of my house, they didn't
19 add new dirt back in. I still got hte same dirt that was
20 there when they came in and took it out. The bottom dirt
21 is red, and the top dirt is gray. Where they put the sod
22 -- Well, when I moved in, the grass wasn't green. It was
23 dead. The back yard I had to completely tear out because
24 the water wouldn't go in. Like I said, I couldn't put a
25 stake in the ground, because the ground is so hard. I watched

1 them do Mike Bailey's behind me and Tom Harmios eight weeks
2 later when they got his done over there. And they take that
3 big, old, huge tractor dumper loader and run over that and
4 run over and thousands and thousands of yards of dirt. And
5 it's run over a hundred thousand trillion times. And they
6 come in there -- You couldn't make anything grow on it, if
7 you wanted to. I had somebody tell me -- Well, Deanna was
8 saying she has pulled her sod right out. The sod is put
9 on top of rock. I got another place in my front yard that
10 I'm going to have to take out because it's right on rock.
11 Everytime I go to try to irrigate the ground or anything,
12 there's rock right underneath. Nothing will grow on rock.
13 I don't care what they say. Sod will not grow on rock.

14 MR. RANDALL: Junk will.

15 MS. PETERSON: --Junk will. But for the help
16 of the other property owners, somebody needs to come in --
17 because some people have very crappy property and some people
18 have nice property. People that have nice yards and nice
19 lawns want it back the same way they're taken out. And what
20 they're doing is going in there with that big old dumper
21 and packing that sod down and throwing that sod down and
22 just leave it. And a year later -- It gives you a year to
23 say, "Hey, something is wrong." Well, by the time a year
24 is up -- say they did it in June -- June of the next year,
25 your lawn really has not started yet. So, by that time,

1 they're saying to you, "If you drive" -- Say your lawn is
2 not green: "Come back and redo it." They're just going
3 to tell you to fly a kite, because your year's extension
4 is over with. I've seen the mess they made at my house.
5 And I've had to pay already to have my backyard plowed up.
6 I'm going to have to pay to have grass put back -- put back
7 in. It was a mess. They didn't lay it out or do anything.
8 They threw the sod down and left. So, with the help of the
9 other people that are going to have this stuff done -- You
10 guys all need to say, "We're going to hire one more person,
11 and he's going to have to be a landscaper and go in after
12 it's all said and done and make sure these other people that
13 have got junk; that they're coming in and throwing down"
14 -- you know, that's really the bottom line. If you're going
15 to come around and take hundreds of thousands of dollars
16 to do all this stuff to people's property, you need to come
17 back in and do it right. That's it.

18 MR.. WILLIAMSON: We appreciate that comment,
19 especially about the landscape architect. And once again,
20 we'd like to talk to you after and see about this property
21 and some of the problems you have -- if we could do something
22 on that.

23 MR. JOSEPH: Oh, are some of these contractors
24 on a fee basis or cost-plus? Is it a benefit for some of
25 them to get the cheapest fill dirt they can get just so they're

1 meeting the minimum standards? Or is there any incentive
2 for them to put good stuff back in?

3 MR. WILLIAMSON: I think I'll address that
4 to Mr. Mathis.

5 MR. MATHIS: Most of the contractors -- unit
6 price basis. Yes. But we do have engineering specifications
7 of design that each of the subcontractors have to adhere
8 to. For instance, backfill material has to meet certain
9 specifications, and so does topsoil. Any time we get into
10 a condition where the subcontractor did not comply with the
11 specifications, we could go back on him as a blatant defect,
12 and not necessarily in the one-year time period, and cause
13 him to take that out and replace it. Same thing with concrete.

14 MRS. PETERSON: They're not putting topsoil
15 in. It's that old clay dirt off these hills out there, is
16 what they're putting back in. And if they call that topsoil,
17 they've got a lot of problems. Because it's not topsoil.
18 It's hard to put water on it.

19 MR. JOSEPH: Are there any before- and after-
20 pictures taken for reference?

21 MR. MATHIS: Yes, there are. Before we go
22 onto each property, we go through a preinspection with the
23 homeowner and document it with photographs and take notes,
24 as far as visual defects in the current conditions of the
25 house or property. And then at the completion of each job,

1 we go through a final inspection with the homeowner and do
2 the same kind of thing -- a check-off thing from the home-
3 owner.

4 MR. RANDALL: If you've got time, I'd like
5 you to come down and just look at my place and tell me how
6 pretty it is; what good workmanship there is on the house.

7 MR. WILLIAMSON: I think we would like to come
8 down with EPA on that -- I would think.

9 MR. TONG: Actually, I think wek drove by it.

10 MR. WILLIAMSON: Yes, we did. We didn't
11 actually go and look at it, though.

12 Yes, Brian?

13 MR. MATHIS: Was your question hypothetical,
14 or do you know something about the stipulation on the deeds?
15 Or were you one of the refusal owners?

16 MRS. PETERSON: Oh, no. I know quite a few
17 that refused them.

18 MR. MATHIS: No, I mean -- You mentioned some-
19 thing about some type of stipulation being written in a deed.
20 Was that a hypothetical question, or do you know --

21 MRS. PETERSON: No. I know people that they've
22 told them that.

23 MR. MATHIS: I guess we have your address.

24 I'm going to check into that. I'm not aware of this --
25 Unless there's a State stipulation on that? .

1 PARTICIPANT: (Indicating negatively.)

2 MRS. PETERSON: They told my neighbor -- How
3 old is Tommy? He's 65 or something. They told him a year
4 ago he had to let them do it. And he said, "I've been here
5 all my life." And he says, "I don't feel like I need to
6 worry about it." And they said, "Well, you don't." You
7 know. "We'll go down, and we'll take care of this at the
8 courthouse, or you'll never be able to sell it. Your family
9 will never be able to sell it." You know. He told them,
10 he says, "I'll be here the rest of my life. I'm not going
11 to live all that many more years," and he said, "Then this
12 year they went ahead and had it done." And I have never
13 talked to him yet about why he hesitated to have it done.
14 But then I've had other people say that they keep on and
15 on with them until "you better let us do it or else." So,
16 what I wonder and worry about is, would they be able to come
17 in and condemn the property and take it away from you, if
18 you don't let them do this?

19 MR. WILLIAMSON: I believe I need to let that
20 be addressed. I believe the question was, "Can they come
21 in and condemn your property and take it away and clear the
22 land off?"

23 MS. SCOTTI: Who are "they?"

24 MR. TONC: EPA.

25 MRS. PETERSON: I don't know. That's just

1 what they just said. I assume it was the DOE, because they're
2 the ones doing the clean-up.

3 MRS. HOLLOWELL: We would like to pursue several
4 of the comments after, if you don't mind, because you're
5 leaving several of us with concern and perplexed impressions
6 and we've got to deal with this. If we can spend with you
7 a few minutes after, we will follow through with this.

8 MR WILLIAMSON: Are there any more questions
9 or comments?

10 MR. PARD SLADE: When we bid this property
11 for "X" amount of dollars -- When we went in on the property,
12 we had six inches of dirt come out. And we took six inches
13 of dirt, and all of a sudden here's a stringer that we had
14 to follow-up, which ended up to be about ten or twelve foot
15 deep. And then we negotiated, you know, the price on this.
16 And then further on down the line, they found some more--
17 The inspectors or whatever found some more, and we had to
18 tear out some different properties. Well, we renegotiated
19 again, and then all of a sudden our negotiator got back to
20 Grand Junction, "Poof." We know nothing about it. So, we
21 had to start all over again. The work is already done. It's
22 already been approved and everything. But we still -- Is
23 this some of the money that got turned back?

24 MS. SCOTTI: No. No.

25 MR. MATHIS: Well, I need the specifics on that.

1 Bob, you may know what he's talking about. But, no, it's
2 not money that got turned back. And it will get worked out.

3 MR. PARD SLADE: It's been a year.

4 MR. WILLIAMSON: Well, let's talk about this
5 after.

6 MR. CROWLEY: That's some of the money they're
7 saving, and they're saving a lot of money.

8 MR. WILLIAMSON: We'd like the opportunity
9 to talk to you about the specifics and the actual property
10 itself.

11 MR. PARD SLADE: We haven't been reimbursed
12 about that project, and I don't feel good about it, and I
13 don't think any of you would, if you had waited that long
14 for your money.

15 MR. WILLIAMSON: I can appreciate that. And
16 once again, we would like to talk to you. Are there any
17 other questions or comments? If not, we appreciate your
18 time this evening for coming down and making us aware of
19 these things. We do appreciate that. And we appreciate
20 the opportunity to address your concerns; to raise some ques-
21 tions that we also need to look into. And as we mentioned
22 before, we would like to talk to you afterwards. And if
23 we could still do that, we would appreciate that. But once
24 again, on behalf of DOE, we do appreciate your time in coming
25 down. Betty, would you like to ask something?

1 MRS. HOLLOWELL: Yes. We've got a couple of
2 people down here on a permanent basis, and I think we ought
3 to introduce them, because they are people that -- where the
4 Monticello people can contact --

5 MS. SCOTT: These are the people to go to first.
6 We've got Mike Ryan (indicating).

7 MR. RYAN: And we've got Bob Morgan here a couple
8 days a week.

9 MR. MORGAN: There's a third fellow, Eddy Jones
10 from Salt Lake. He's on vacation right now. I'm here a day
11 or two a week, and Mike is here during the early half of the
12 season. And we can be reached at our local office. There is
13 an answering machine on that phone, so if you can't catch some-
14 body right away, we'll get back to you.

15 MR. WILLIAMSON: Did you have another? --

16 MS. HOLLOWELL: No.

17 MR. WILLIAMSON: Once again, in relation to that,
18 if you have any questions or concerns, feel free to phone me
19 in Grand Junction. Once again, my number is on that little
20 slip of paper. Phone collect and get a hold of me, and I'll
21 phone you right back, if I'm not there -- so we can use our
22 FTS system. But we are concerned that the clean-up is handled
23 properly. I know the State of Utah is concerned in that same
24 way, and also the EPA -- that things are done right the first
25 time. That's the DOE's position. We want to do the job at

1 the millsite. We want to do it right the first time.

2 So, once again, I just express the appreciation of the
3 Department of Energy for your time tonight. Thank you very
4 much.

5 (Whereupon, this concludes the
6 reporting of this hearing.)
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CERTIFICATE

STATE OF UTAH)
) ss.
COUNTY OF EMERY)

I, John F. Greenig, do hereby certify that I am a Registered Professional Reporter and Notary Public in and for the State of Utah; that as such reporter I attended ^{Part 7} the hearing of the foregoing matter and thereat reported in stenotype all of the testimony and proceedings had and caused said notes to be transcribed into typewriting. And the foregoing pages numbered 2 through 57 are a full true and correct report of same.

DATED at Price, Utah, this 6th day of September, 1989.


JOHN F. GREENIG, RPR

My Commission Expires:

Jan. 18, 1993